

## ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

### Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby gives Notice of Intended Action to amend Chapter 7, "Personal Financial Disclosure," Iowa Administrative Code.

Iowa Code section 68B.35(3) requires the Board to adopt rules for the time and manner of filing personal financial disclosure statements (Form PFD) by officials and employees of the executive branch. The proposed amendments require a Form PFD to be filed with the Board electronically via the Board's Web site.

The proposed amendments do not contain a waiver provision. The Board has adopted general waiver provisions in 351—Chapter 15.

Any interested person may make written comments on the proposed amendments on or before August 18, 2009. Comments should be directed to Charlie Smithson, Iowa Ethics and Campaign Disclosure Board, 510 E. 12th Street, Suite 1A, Des Moines, Iowa 50319. Persons who wish to comment orally should contact Charlie Smithson at (515)281-3489.

These amendments are intended to implement Iowa Code section 68B.32A(5) and section 68B.35 as amended by 2009 Iowa Acts, Senate File 52, section 5.

The following amendments are proposed.

ITEM 1. Amend subrule 7.1(2) as follows:

**7.1(2) Place of filing.** Form PFD shall be filed with the board ~~at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319. The form may also be filed by fax at (515)281-4073 or~~ electronically using the board's Web site at www.iowa.gov/ethics.

ITEM 2. Amend subrule 7.1(4) as follows:

**7.1(4) ~~Physical~~ Electronic receipt.** The board must ~~physically~~ receive electronically a filed Form PFD ~~on or before by 11:59 p.m. on April 30 of each year. If mailed, the form must bear a United States Postal Service postmark dated on or before April 30. Faxed or electronically filed forms must be submitted on or before 11:59 p.m. the required due date.~~ If the due date falls on a weekend or holiday, the filing deadline shall be extended to the first working day following the deadline.

ITEM 3. Amend subrule 7.3(3) as follows:

**7.3(3) Statewide candidates.** A person who is a candidate for statewide office shall electronically file Form PFD with the board ~~on or before by 11:59 p.m. on April 30 of the year the candidate appears on the ballot. If the due date falls on a weekend or holiday, the filing deadline shall be extended to the first working day following the deadline.~~ Once nomination papers or an affidavit of candidacy is filed, the board shall notify the person of the requirement to file Form PFD. The notification shall be sent by first-class mail or E-mail and shall include ~~a blank form or information on how to obtain a blank form for filing~~ file Form PFD electronically.

ITEM 4. Amend subrule 7.3(4) as follows:

**7.3(4) Statewide candidates in a special election.** A candidate for statewide office in a special election shall electronically file Form PFD with the board within ~~seven~~ ten days after the certification of the candidate's name as the nominee under Iowa Code section 43.88. Notification to a statewide candidate in a special election shall be sent by first-class mail or E-mail and shall include information on how to file Form PFD electronically.

ITEM 5. Amend subrule 7.3(5) as follows:

**7.3(5) Distribution of ~~forms~~ link.** The board shall provide each agency with ~~blank forms for~~ distribution to the designated persons and ~~shall make blank forms available via the board's Web site at www.iowa.gov/ethics.~~ The board shall provide each agency with the link on the board's Web site at [www.iowa.gov/ethics](http://www.iowa.gov/ethics) where forms ~~may~~ shall be filed electronically. ~~The board shall also make blank forms available via the board's Web site.~~